



U.S. Immigration  
and Customs  
Enforcement

May 6, 2005

# News Release

## **PALM BEACH MAN ARRESTED AND CHARGED FOR OBSTRUCTION OF JUSTICE, FALSE CLAIM TO U.S. CITIZENSHIP AND NATURALIZATION FRAUD**

WEST PALM, FLA- Marcos Daniel Jiménez, United States Attorney for the Southern District of Florida; Jesus Torres, Special Agent in Charge, U.S. Immigration and Customs Enforcement (ICE); and Brian Whimpling, Special Agent in Charge, Internal Revenue Service (IRS), announced today the unsealing of a five -count Indictment against defendant, Fernando Carmona, who was arrested by ICE and IRS agents on May 5, 2005, at his home in Ocean Ridge, Florida. Also indicted was defendant, Claudio Carmona, Fernando Carmona's brother.

The Indictment charges both defendants with conspiracy to suborn perjury and obstruct justice, in violation of Title 18, United States Code, Section 371; one (1) count of suborning perjury, in violation of Title 18, United States Code, Section 1622; and one (1) count of obstruction of justice, in violation of Title 18, United States Code, Section 1503. Defendant Fernando Carmona was also charged with one count of arson, in violation of Title 18, United States Code, Section 844(i), and one count of making false- statements for the acquisition of U.S. Citizenship, in violation of Title 18, United States Code, Section 1425(a).

The Indictment alleges that the defendants suborned perjury and obstructed justice in connection with the trial of United States v. Claudio Carmona, et. al., Case No. 99-8059-CR-Zloch, in which Claudio Carmona was charged with extortion. Specifically, the indictment alleges that the defendants sought to obtain the assistance of another person, identified in the indictment as "VTR," to provide false exculpatory testimony and manufactured false evidence during that trial.

Defendant Fernando Carmona is individually charged with attempted arson at a nightclub known as Club OZ, located at 21564 Zip Code Place, in Palm Beach County. Lastly, defendant Fernando Carmona is charged with making false statements in his application for naturalization by providing false responses to five different questions on the naturalization form, including whether he had ever

been a prostitute or procured anyone for prostitution and whether he ever knowingly committed a crime for which he had not been arrested.

Defendant Fernando Carmona made his initial appearance in Ft. Lauderdale on May 6, 2005. A pre-trial detention hearing has been scheduled for Wednesday, May 11, 2005 at 10:30 a.m. The case will be tried before United States District Court Judge James I. Cohn in Ft. Lauderdale.

Mr. Jiménez commended the investigative efforts of the U.S. Immigration and Customs Enforcement (ICE) and the Internal Revenue Service (IRS). Assistant United States Attorney John C. McMillan, Jr, is prosecuting the case.

# ICE #

*ICE, the primary investigative arm of the Department of Homeland Security, was established to bring a unified focus to the enforcement of U.S. immigration and customs laws, with the principal goal of preventing violations by terrorists and other criminals who threaten the nation's security.*